

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

MONROE WILSON, JR.,

DEBTOR

CHAPTER 13

CASE No. 18-53522-JRS

**NOTICE OF FILING OF MODIFICATION OF CONFIRMED
CHAPTER 13 PLAN, DEADLINE FOR FILING WRITTEN OBJECTIONS
AND HEARING DATE AND TIME IF OBJECTION IS TIMELY FILED**

TO: Creditors and Other Parties in Interest

PLEASE TAKE NOTICE that the Debtor has filed a proposed Modification to Confirmed Chapter 13 Plan, a copy of which Modification you are receiving with this Notice or have recently received by United States Mail. Pursuant to Rule 3015(g) of the Federal Rules of Bankruptcy Procedure, any creditor or other party in interest opposing this proposed Modification must file a written objection with the Court on or before the following deadline.

DEADLINE FOR FILING OBJECTION: Twenty-four (24) days after the date on which this proposed Modification was filed. If the twenty-fourth (24th) day after the date of filing falls on a week-end or holiday, the deadline is extended to the next business day.

PLACE OF FILING:

Clerk, United States Bankruptcy Court
1340 Russell Federal Building
75 Ted Turner Drive, SW
Atlanta, Georgia 30303

If you mail an objection to the Court for filing, you must mail it early enough so that the Court will receive it on or before the deadline stated above.

You must also serve a copy on the undersigned at the address stated below and on the Debtor at: **5675 Hampton Court, College Park, GA 30349.**

PLEASE TAKE FURTHER NOTICE that if an objection to the proposed Modification is timely filed, the Court will hold a hearing on the Modification of Confirmed Chapter 13 Plan **on September 8, 2020 at 10:10 AM, Courtroom 1404, Russell Federal Building, 75 Ted Turner Drive SW, Atlanta, Georgia 30303.** If no objection is timely filed, the Court may approve the proposed Modification without further notice or hearing.

Given the current public health crisis, hearings may be telephonic only. Please check the “Important Information Regarding Court Operations During COVID-19 Outbreak” tab at the top of the GANB Website prior to the hearing for instructions on whether to appear in person or by phone.

This August 6, 2020

342 North Clarendon Avenue
Scottdale, GA 30079
404-499- 2700
contactus@fieldlawoffice.com

Respectfully Submitted,
JEFF FIELD & ASSOCIATES

/s/ Christopher J. Sleeper

CHRISTOPHER J. SLEEPER
Attorney for Debtor
State Bar No. 700884

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

MONROE WILSON, JR.,

DEBTOR

CHAPTER 13

CASE NO. 18-53522-JRS

**POST CONFIRMATION MODIFICATION OF
CHAPTER 13 PLAN AND REQUEST FOR APPROVAL**

MODIFICATION OF PLAN

Debtor has had an increase in medical expenses due to cancer. Debtor modifies the Chapter 13 Plan that was confirmed on or about July 12, 2018 as follows:

1.

§ 2.1 Regular Payments to the trustee; applicable commitment period.

The applicable commitment period for the debtor(s) as set forth in 11 U.S.C. § 1325(b)(4) is:

Check one: ☒ 36 months ☐ 60 months

Debtor(s) will make regular payments ("Regular Payments") to the trustee as follows:

The debtor(s) will pay \$230.00 ~~\$400.00~~ per month for the applicable commitment period. If the applicable commitment period is 36 months, additional Regular Payments will be made to the extent necessary to make the payments to creditors specified in this plan, not to exceed 60 months unless the Bankruptcy Court orders otherwise. If all allowed claims treated in § 5.1 of this plan are paid in full prior to the expiration of the applicable commitment period, no further Regular Payments will be made.

Check if applicable.

☐ The amount of the Regular Payment will change as follows (If this box is not checked, the rest of § 2.1 need not be completed

or reproduced. Insert additional lines as needed for more changes.):

2.

§ 3.3 Secured claims excluded from 11 U.S.C. § 506.

Check one.

☐ **None.** If "None" is checked, the rest of § 3.3 need not be completed or reproduced.
☒ The claims listed below were either:

(1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or

(2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value.

These claims will be paid in full under the plan with interest at the rate stated below. These payments will be disbursed by the trustee.

The trustee will make monthly preconfirmation adequate protection payments that 11 U.S.C. § 1326(a)(1)(C) requires to the creditor in the amount set out in the column headed *Monthly preconfirmation adequate protection payment*.

The holder of any claim listed below will retain the lien on the property interest of the debtor(s) or the estate(s) until the earlier of:

(a) payment of the underlying debt determined under nonbankruptcy law, or

(b) payment of the amount of the secured claim, with interest at the rate set forth below, and discharge of the underlying debt under 11 U.S.C. § 1328, at which time the lien will terminate and be released by the creditor.

Name of Creditor	Collateral	Purchase date	Estimated amount of claim	Interest rate	Monthly preconfirmation adequate protection payment	Monthly postconfirmation payment to creditor by trustee
Capital One Auto Finance	2012 GMC Sierra 1500 64,000 miles	Opened 12/12 Last Active 12/28/17	\$9,555.62	5.25%	\$100.00	\$160.00; step to \$210.00 in July 2021 \$172.00 step to 372.00 40/49

3.

§ 4.3 Attorney's fees.

(a) The unpaid fees, expenses, and costs owed to the attorney for the debtor(s) in connection with legal representation in this case are \$ 3,950.00. The allowance and payment of the fees, expenses and costs of the attorney for the debtor(s) are governed by General Order 22-2017 ("Chapter 13 Attorney's Fees Order"), as it may be amended.

(b) Upon confirmation of the plan, the unpaid amount shall be allowed as an administrative expense under 11 U.S.C. § 503(b) to the extent set forth in the Chapter 13 Attorney's Fees Order.

(c) The Bankruptcy Court may allow additional fees, expenses, and costs to the attorney for debtor(s) in excess of the amount shown in § 4.3(a) above upon application of the attorney in compliance with the Chapter 13 Attorney's Fees Order and after notice and a hearing.

(d) From the first disbursement after confirmation, the attorney will receive payment under § 2.6(b)(1) up to the allowed amount set forth in § 4.3(a).

(e) The unpaid balance and any additional amounts allowed under § 4.3(c) will be payable (1) at \$ \$50.00 200.00 per month from Regular Payments and (2) from Tax Refunds or Additional Payments, as set forth in § 2.6, until all allowed amounts are paid in full.

(f) If the case is converted to Chapter 7 before confirmation of the plan, the debtor(s) direct(s) the trustee to pay to the attorney for the debtor(s) the amount of \$ 2,500.00, not to exceed the maximum amount that the Chapter 13 Attorney's Fees Order permits. If the attorney for the debtor(s) has complied with the applicable provisions of the Chapter 13 Attorney's Fees Order, the trustee will deliver, from the funds available, the stated amount or the maximum amount to the attorney, whichever is less.

(g) If the case is dismissed before confirmation of the plan, fees, expenses, and costs of the attorney for the debtor(s) in the amount of \$ 2,500.00, not to exceed the maximum amount that the Chapter 13 Attorney's Fees Order permits, will be allowed to the extent set forth in the Chapter 13 Attorney's Fees Order. The attorney may file an application for fees, expenses, and costs in excess of the maximum amount within 10 days from entry of the order of dismissal. If the attorney for the debtor(s) has complied with the applicable provisions of the Chapter 13 Attorney's Fees Order, the trustee will deliver, from the funds available, the allowed amount to the attorney.

(h) If the case is converted to Chapter 7 after confirmation of the plan, the debtor(s) direct(s) the trustee to deliver to the attorney for the debtor(s), from the funds available, any allowed fees, expenses, and costs that are unpaid.

(i) If the case is dismissed after confirmation of the plan, the trustee will pay to the attorney for the debtor(s), from the funds available, any allowed fees, expenses, and costs that are unpaid.

Dated: August 6, 2020

Respectfully submitted,
JEFF FIELD & ASSOCIATES

/s/ Christopher J. Sleeper

CHRISTOPHER J. SLEEPER
Attorney for Debtor
State Bar No. 700884

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and exact copy of the foregoing Post-Confirmation Plan Modification to the following:

Nancy J. Whaley, Chapter 13 Trustee *Electronically*

Monroe Wilson, Jr.
5675 Hampton Court
College Park, GA 30349

All Creditors On The
Attached Mailing Matrix

by electronic service upon filing with the Court or by placing a copy of same in a properly addressed envelope with sufficient postage affixed thereon to insure delivery and depositing same in the United States Mail.

Dated: August 6, 2020

Respectfully Submitted,
JEFF FIELD & ASSOCIATES

/s/ Christopher J. Sleeper

342 North Clarendon Avenue
Scottdale, GA 30079
404-499- 2700
contactus@fieldlawoffice.com

CHRISTOPHER J. SLEEPER
Attorney for Debtor
State Bar No. 700884

Label Matrix for local noticing
113E-1
Case 18-53522-jrs
Northern District of Georgia
Atlanta
Thu Aug 6 14:50:02 EDT 2020

Advance America
2093 Caton Street
New Orleans, LA 70122-3146

Advance America, Cash Advance Centers of LA,
135 North Church Street
Spartanburg, SC 29306-5138

America Cash Advance
3868 Gentilly Blvd.
Suite B
New Orleans, LA 70122-6160

Attn: Capital One Auto Finance, a division o
AIS Portfolio Services, LP
Account: XXXXXXXX9166
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

Capital One Auto Finance
PO Box 30285
Salt Lake City, UT 84130-0285

Capital One Auto Finance, c/o AIS Portfolio
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118-7901

R. Jeffrey Field
Jeffrey Field & Associates
342 North Clarendon Avenue
Scottdale, GA 30079-1320

First Premier Bank
Po Box 5524
Sioux Falls, SD 57117-5524

(p)GEORGIA DEPARTMENT OF REVENUE
COMPLIANCE DIVISION
ARCS BANKRUPTCY
1800 CENTURY BLVD NE SUITE 9100
ATLANTA GA 30345-3202

Internal Rev. Service
P.O. Box 7346
Philadelphia PA 19101-7346

Premier Bankcard, Llc
Jefferson Capital Systems LLC Assignee
Po Box 7999
Saint Cloud Mn 56302-7999

(p)RECEIVABLE RECOVERY SERVICES LLC
ATTN ANNA MARTIN
110 VETERANS MEMORIAL BLVD STE 445
METAIRIE LA 70005-4931

Stor-All Gentilly Woods
4601 Chef Menteur Hwy.
New Orleans, LA 70126-5010

U. S. Attorney
600 Richard B. Russell Bldg.
75 Ted Turner Drive, SW
Atlanta GA 30303-3315

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Georgia Department of Revenue
Compliance Division
1800 Century Blvd., NE, S9100
Atlanta, GA 30345

Receivable Recovery Service Llc
Rrs
110 Veterans Memorial Blvd Ste 445
Metairie, LA 70005

End of Label Matrix
Mailable recipients 14
Bypassed recipients 0
Total 14